IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION No: 7363 of 2005

Between:

The Chittoor Town Welfare Municipal Rate Payers Association, (Regd.No. 16/58), Chittoor District,
rep. by its Secretary K. Vijay Kumar, S/o K. Srinivasulu, Aged 45 years, R/o Dr.No. 15-1292, Vijayakapuram,
Chittoor, Chittoor District.

..... PETITIONER

AND

1 The State of Andhra Pradesh rep. by its Secretary
Municipal Administration, Secretariat Buildings, Hyderabad.
2 The Director of Municipal Administration, Government of Andhra Pradesh, Hyderabad.
3 The Commissioner, Chittoor Municipality, Chittoor,
Chittoor District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ, Order or Direction directing

the Respondents not to insist upon the members of the Petitioner's Association and other tax payers to pay the enhanced tax contrary to G.O.Ms.No. 154 MA, dated 8-4-2002 and G.O.Ms.No. 167 MA, dated 18-4-2002 by declaring the action of the 3rd respondent herein in insisting to pay the enhanced tax pending consideration of the revision petitions/ representations/objections filed by the tax payers in Chittoor Municipality, Chittoor District as arbitrary, illegal and unconstitutional and pass such other order or orders as this Honourable court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.T.NIRANJAN REDDY

Counsel for the Respondent Nos.1&2: GP FOR MUNCIPAL ADMN. & URBAN DEV.

Counsel for the Respondent No.3: MR.S.I. NEWTON

The Court made the following:

ORAL ORDER:- (PER GB,J.)

The Writ Petition is filed seeking direction to the respondents not to insist the petitioners to pay the enhanced property tax over and above the stipulations made in G.O.Ms.Nos.154 and 167 MA Municipal Administration and Urban (T.C.I.) Development Department, dated 08.04.2002 and 18.04.2002 respectively.

2. We heard the learned counsel for the petitioner.

3. In view of the fact that the Government had already issued directions with regard to the percentage of enhancement of property tax, the Writ Petition is disposed of directing the 3rd respondent to collect the property tax in pursuance of the guidelines issued by the Government in the above Government Orders and also the undertaking given before this Court in W.P.No. 21951 of 1997, reported in ***MUNICIPAL RATE PAYERS ASSOCIATION, ANANTHAPUR v STATE OF ANDHRA PRADESH & OTHERS***.

4. However, the 3rd respondent is directed to issue fresh show-cause notice confirming the aforesaid Government Orders and proceed further in accordance with law.

5. With the direction indicated above, the Writ Petition is accordingly disposed of. No costs.

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G. BIKSHAPATHY, J

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P.S. NARAYANA, J

Date: 05.04.2005

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To

1 The Secretary, State of Andhra Pradesh,
Municipal Administration, Secretariat Buildings, Hyderabad.
2 The Director of Municipal Administration, Government of Andhra Pradesh,
Hyderabad.
3 The Commissioner, Chittoor Municipality, Chittoor,
Chittoor District.

4 2 CCs to the GP for Municipal Administration & Urban Development, High Court of A.P., Hyderabad (OUT)

5 2 CD copies